

1 STATE OF MISSOURI
2 PUBLIC SERVICE COMMISSION
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7 TRANSCRIPT OF PROCEEDINGS
8 Settlement Conference
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10 August 20, 2007
11 Jefferson City, Missouri
12 Volume 3

13 In the Matter of the Application)
14 of Kansas City Power & Light)
15 Company for Approval to Make)
16 Certain Changes in Its Charges) Case No. ER-2007-0291
17 for Electric Service to)
18 Implement Its Regulatory Plan)

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22 RONALD D. PRIDGIN, Presiding,
23 SENIOR REGULATORY LAW JUDGE

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16 FOR: Staff of the Missouri Public
17 Service Commission.

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1 P R O C E E D I N G S

2 JUDGE PRIDGIN: Good morning. We're on
3 the record. This is the beginning of the settlement
4 conference in KCPL rate case ER-2007-0291 in the
5 matter of the Application of Kansas City Power &
6 Light Company for Approval to make Certain Changes in
7 its Charges for Electric Service to Implement its
8 Regulatory Plan.

9 I'm Ron Pridgin, the regulatory law
10 judge assigned to preside over the settlement
11 conference that's beginning about ten after ten on
12 August 20th, 2007. We're in the Governor Office
13 Building in Jefferson City, Missouri.

14 I would like to get oral entries of
15 appearance from counsel, beginning with the General
16 Counsel's Office, please.

17 MR. WILLIAMS: Nathan Williams and
18 Steven Dottheim for the Staff. Also other attorneys
19 that will be appearing later in the case are Kevin
20 Thompson, Sarah Kliethermes, Dennis Frey and Steven
21 Reed, P.O. Box 360, Jefferson City, Missouri 65102,
22 appearing on behalf of the Staff.

23 JUDGE PRIDGIN: Mr. Williams, thank
24 you.

25 On behalf of the Office of the Public

1 Counsel.

2 MR. MILLS: On behalf of the Office
3 of the Public Counsel and the public, my name is
4 Lewis Mills. My address is Post Office Box 2030,
5 Jefferson City, Missouri 65102.

6 JUDGE PRIDGIN: Thank you. On behalf of
7 KCP&L.

8 MR. FISCHER: James M. Fischer, Fischer
9 & Dority, PC, 101 Madison Street, Jefferson City,
10 Missouri.

11 Also with me today is Bill Riggins
12 of General Counsel, and Bill's address is 1201
13 Walnut, Kansas City, Missouri 64141.

14 MR. ZOBRIST: Carl Zobrist, Roger W.
15 Steiner, Sonnenschein, Nath & Rosenthal, 4520
16 Main Street, Suite 1100, Kansas City, Missouri 64111.

17 JUDGE PRIDGIN: Mr. Fischer, thank you.
18 Mr. Zobrist, thank you.

19 On behalf of the Missouri Department of
20 Natural Resources, please.

21 MR. IVESON: Yes. Todd Iveson for
22 Attorney General Jay Nixon. Shelley Woods and
23 Jessica Blome from our office will also be appearing
24 in this case. Post Office Box 899, Jefferson City,
25 Missouri.

1 JUDGE PRIDGIN: Mr. Iveson, thank you.

2 On behalf of Praxair, Incorporated.

3 MR. WOODSMALL: Thank you, your Honor.

4 Stuart W. Conrad, David Woodsmall, 3100 Broadway,

5 Suite 2709, Kansas City, Missouri 64111.

6 JUDGE PRIDGIN: Thank you. On behalf of

7 Missouri Industrial Energy Consumers, please.

8 MR. DOWNEY: Edward Downey, Bryan Cave,

9 LLP, 221 Bolivar Street, Suite 101, Jefferson City,

10 Missouri, and I'm also appearing on behalf of Ford

11 Motor Company, and Diana Vuylsteke and I will be

12 attending the conferences as well.

13 JUDGE PRIDGIN: Mr. Downey, thank you.

14 On behalf of Aquila, Incorporated, please.

15 MS. CARTER: Diana Carter, Brydon,

16 Swearngen & England, PC, 312 East Capitol Avenue,

17 Jefferson City, Missouri, appearing on behalf of

18 Aquila, the Empire District Electric Company and

19 Missouri Gas Energy.

20 JUDGE PRIDGIN: Ms. Carter, thank you.

21 On behalf of Missouri Joint Municipal Electric

22 Utility Commission, please.

23 (NO RESPONSE.)

24 JUDGE PRIDGIN: No appearance.

25 On behalf of the City of Kansas City,

1 Missouri, please.

2 (NO RESPONSE.)

3 JUDGE PRIDGIN: No appearance.

4 On behalf of United States Department of
5 Energy, National Nuclear Security Administration,
6 please.

7 MR. CAMPBELL: Lewis Campbell, Post
8 Office Box 51508, Albuquerque, New Mexico,
9 87181-1508, and also appearing later will be Paul M.
10 Jones who's an NNSA attorney in Albuquerque.

11 JUDGE PRIDGIN: Mr. Campbell, thank you.
12 Who have I missed? I'm sorry, Mr. Keevil.

13 MR. KEEVIL: Yes. Appearing on behalf
14 of Trigen Kansas City Energy Corporation, Jeffrey A.
15 Keevil, Stewart & Keevil, LLC, 4603 John Garry Drive,
16 Suite 11, Columbia Missouri 65203.

17 MR. WOODSMALL: Your Honor, I was asked
18 to enter an appearance for Jeremiah Finnegan for
19 Pershing Road Development, Incorporated. Finnegan,
20 Conrad, Peterson, 3100 Broadway, Suite 1209, Kansas
21 City, Missouri 64111. And I would note that
22 Mr. Finnegan will be available by telephone later if
23 we need him.

24 JUDGE PRIDGIN: All right. Thank you.
25 Mr. Keevil, thank you. I apologize for overlooking

1 you. I knew I was overlooking somebody else. And is
2 there anyone else I've missed?

3 (NO RESPONSE.)

4 JUDGE PRIDGIN: All right. Is there
5 anything counsel needs to bring to my attention
6 before we go off the record? Mr. Dottheim.

7 MR. DOTTHEIM: Mr. Pridgin, I would like
8 to take up with other counsel, hopefully today, this
9 week, just a scheduling matter. We presently have
10 scheduled for November 8th the true-up hearing, and
11 Judge Callahan, Cole County Circuit Court, has
12 scheduled oral argument in consolidated cases
13 involving the writs of review of the Commission's
14 Report and Order in the recent AmerenUE rate increase
15 case, and that's been set for the afternoon of
16 November 8th.

17 So I was hoping to take up with other
18 counsel the possibility of rescheduling the true-up
19 hearing for November 9th instead of November 8th and
20 reporting back to you on that matter.

21 JUDGE PRIDGIN: Mr. Dottheim, thank you.
22 And I'll -- if that's something the parties are
23 interested in, we'll make sure -- we'll try to make
24 that available, and hopefully we'll have one of the
25 hearing rooms available for that day.

1 MR. DOTTHEIM: Mr. Pridgin -- Judge
2 Pridgin, excuse me. I didn't know if you were going
3 to address at all this morning the motion filed on
4 Friday afternoon by Mr. Finnegan on behalf of the
5 Pershing Road Development Corporation.

6 JUDGE PRIDGIN: I've only had a moment
7 to glance at it. I'm not even sure if the Commission
8 has looked at it. I've tried to contact the Chairman
9 and really haven't had time to talk to him. So
10 really, on behalf of the Commission, I'm not prepared
11 to address it.

12 MR. DOTTHEIM: The Staff is intending to
13 respond to that motion. There's also along with it a
14 motion for expedited treatment. I don't know if the
15 Commission might issue an order setting a date by
16 which it is looking for responses, if the
17 Commission's looking for responses in less than the
18 ten days that are provided for by Commission rule.

19 JUDGE PRIDGIN: I would think so. And
20 again, I'll try to contact the Chairman later today
21 and get some guidance and certainly get an order out
22 as quickly as possible to give the parties some
23 guidance.

24 MR. DOTTHEIM: Okay. Thank you.

25 JUDGE PRIDGIN: You're welcome.

1 MR. WILLIAMS: Judge Pridgin, one other
2 matter.

3 JUDGE PRIDGIN: Yes, sir.

4 MR. WILLIAMS: Staff filed the motion
5 seeking to move the rebuttal filing date from the
6 23rd to the 30th.

7 JUDGE PRIDGIN: I've sent that order to
8 my assistant to be granted. If it hasn't been in
9 EFIS yet, it should be shortly.

10 MR. WILLIAMS: I think I received an
11 EFIS notice, but I didn't actually see the order, and
12 I wasn't sure about other parties, so I thought it'd
13 be a good opportunity to bring it up now.

14 JUDGE PRIDGIN: Yes. Staff filed a
15 motion to move back filing rebuttal testimony to
16 August 30th if I'm not mistaken, and I've granted
17 that motion.

18 MR. FISCHER: Judge, KCPL plans to
19 respond to the motion that was filed on Friday as
20 well. Though given the settlement conference, we
21 would appreciate the opportunity to have a few days
22 to do that.

23 JUDGE PRIDGIN: Absolutely, absolutely.
24 Thank you, Mr. Fischer. Anything else?

25 (NO RESPONSE.)

1 JUDGE PRIDGIN: All right. If there's
2 nothing else from the parties, I will make this phone
3 available to you. If I'm not mistaken, you have
4 access to this room all day, and you should have it
5 all week.

6 Obviously you're free to meet wherever
7 you want. Come see me on the 9th floor if you have
8 any scheduling questions or concerns.

9 Is there anything else I can do for the
10 parties? Mr. Dottheim?

11 MR. DOTTHEIM: Judge Pridgin, I think
12 there's some scheduling conflicts for the room the
13 rest of the week, but I believe we have -- we have
14 other rooms arranged --

15 JUDGE PRIDGIN: Very good.

16 MR. DOTTHEIM: -- other than this room
17 today, so I think as a consequence, there shouldn't
18 be any problems as far as rooms are concerned.

19 JUDGE PRIDGIN: Very good. Thank you,
20 Mr. Dottheim.

21 MR. DOTTHEIM: Thank you.

22 JUDGE PRIDGIN: If there's nothing
23 further?

24 (NO RESPONSE.)

25 JUDGE PRIDGIN: All right. That will

1 conclude the on-the-record portion of this
2 conference. Thank you very much. We are off the
3 record.

4 (WHEREUPON, the recorded portion of the
5 prehearing conference was concluded.)

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